

Meeting Minutes of the City of Milpitas Campaign Finance Reform Committee

MONDAY, AUGUST 17, 2015

6:00 PM

Milpitas City Hall, Committee Room, 1st floor
455 E. Calaveras Boulevard, Milpitas, CA

CALL TO ORDER

Chair Althea Polanski called the meeting to order at 6:03 PM.

ROLL CALL

Committee Members present were Althea Polanski, Bill Ferguson, Marty Riker, Bob Nunez, Rajeev Madnawat, Rohit Sharma Martha Lamdin

Committee members absent were: Syed Mohsin and Lokesh Krishnarajpet

Staff present were City Clerk Mary Lavelle and interim City Attorney Gary Baum.

AGENDA

Agenda for this meeting was approved by unanimous agreement of the Committee.

MINUTES

Meeting Minutes of June 15, 2015 were approved by unanimous vote of the Committee.

PUBLIC FORUM

None

DISCUSSION

Chair Polanski asked attorney Gary Baum to comment about the recommendations that would come forward from the Committee. Mr. Baum remarked about the requirement for justification or rationale for any specific limits imposed for limiting dates/times that campaign committees would need to end. This was related to recent court decisions. Chair Polanski recommended learning what justifications other cities used for their limitations, such as San Jose, San Francisco, and Palo Alto.

Chair Polanski reviewed the list of potential recommendations to City Council that she had prepared based on discussion at the last several meetings. She provided each member with a matrix containing 20 potential items.

If a candidate were to accept a proposed campaign contribution cap (limit), then the ballot and sample ballot could display a diamond mark next to the candidates' name. The City Clerk confirmed this was possible, from the County Registrar of Voters, and a sample from Cupertino was distributed.

Some discussion was held on the enforcement of a possible penalty phase for those candidates who might go beyond the cap, once they had originally agreed to it. City Attorney advised keeping that as a private right of action, not city generated. Chair Polanski identified a few scenarios when this might come into place, and Marty Riker read from the law in Santa Clara on penalties.

Limited timeframes for campaign contributions, such as no sooner than six months before an election and not more than 90 days post-election were suggested and discussed by Committee members.

Another supported idea was to find out if donors had any pending contracts before the City Council, and to somehow identify this on campaign reports, or potentially disallow any contributions from such companies or persons. Defining “pending” as a term would be important, if this was adopted.

District elections were another concept discussed. One idea was to survey residents to determine if this was a desirable, helpful model for a city of Milpitas’ size.

Support was heard for updating the newspaper ad that the City Clerk was required to place in the newspaper of all donors of \$100 or more to all candidates. That is done one time presently, on the Friday prior to Election Day. It was recommended to do this twice during election season, following each of the two pre-election filing deadlines.

Electronic filing of campaign reports was suggested, in order to more easily search on the donors and information reported. Vendors, costs, state requirements for doing this would require more research and was in place in some of the neighboring cities.

Chair Polanski asked a member of the audience for comment.

Mr. Robert Marini, resident, remarked that there were not limits on how long City Councilmembers serve and that maybe there should be term limits.

Chair Polanski asked the group for a motion on the proposed final recommendations. Rajeev Madnawat moved, and Bob Nunez seconded, moving ahead with the consensus-agreed upon items on the Chair’s list, as discussed at this meeting.

She explained that the City Council could direct the City Attorney on language for any potential new ordinance to adopt these recommendations (the Committee did not need to prepare it).

Rajeev Madnawat wanted to ask the City Council to send such an ordinance to the voters for approval.

The next meeting was scheduled for Tuesday, September 29, 2015 at 6:00 PM.

The Chair described that she would prepare a more formal listing of the recommendations in a report to City Council to review next time. She would add what Rajeev had requested and Bill Ferguson’s item about a statute of limitations for four years.

The meeting was adjourned at 8:16 PM.

*Meeting minutes prepared
by Mary Lavelle, City Clerk*